

Ridesharing

By-Law # 062



Town of Quispamsis

BY-LAW NO. 062
A BYLAW OF THE MUNICIPALITY OF QUISPAMISIS
RESPECTING RIDESHARING

BE IT ENACTED by the Council of the town of Quispamsis under the authority vested in it by the *Local Governance Act*, S.N.B., 2017, c. 18, as follows:

1. Recitals

WHEREAS section 1 of the *Motor Vehicle Act*, R.S.N.B. 1973, c. M-17, defines a Vehicle-for-Hire Company and a Vehicle-for-Hire Service;

AND WHEREAS section 197.1 of the *Motor Vehicle Act* restricts a Vehicle-for-Hire Company from carrying on business or facilitating the offer of Vehicle-for-Hire Services within the territorial limits of a local government unless authorized to do so by the local government.

2. Title

This by-law may be cited as the “Quispamsis Ridesharing By-Law”.

3. Definitions

The words defined in section 1 of the *Motor Vehicle Act*, when used in this By-law, shall have the same meaning as in the said Act.

4. If a vehicle-for-hire company is licensed by any New Brunswick municipality and the license is current and in good standing, they are authorized to carry on the business or facilitate the offer of vehicle-for-hire services within the territorial limits of the Town of Quispamsis.

5. No person shall carry on the business or facilitate the offer of a vehicle-for-hire service in the Town of Quispamsis if the business is not in compliance with the provisions of Section 4.

6. An operator providing vehicle-for-hire services in the Town of Quispamsis shall, at the request of a member of the Kennebecasis Regional Police Force or a by-law enforcement officer of the Town of Quispamsis, immediately produce evidence satisfactory to the member or officer that they are in compliance with the provisions of Section 4.

7. Enforcement

(1) Every person duly appointed by Council of the town of Quispamsis as a by-law enforcement officer is hereby authorized to carry out any

inspection that is necessary for the administration or enforcement of this by-law.

- (2) Any peace officer or by-law enforcement officer is hereby authorized to take such actions, exercise such powers and perform such duties, as may be set out in this by-law or in the *Local Governance Act* and as they may deem to be necessary to enforce any provisions of this by-law.

8. Offences

- (1) Any person who violates any provision of this by-law commits an offence and is liable on conviction to a fine.
- (2) The minimum fine for an offence committed under this by-law is one thousand dollars (\$1,000) and the maximum fine for an offence committed under this by-law is two thousand one hundred dollars (\$2,100).
- (3) If an offence committed under this by-law continues for more than one (1) day:
 - (a) The minimum fine that may be imposed is the minimum fine established in this by-law multiplied by the number of days during which the offence continues;
 - (b) The maximum fine that may be imposed is the maximum fine established in this by-law multiplied by the number of days during which the offence continues.
- (4) Contraventions –
 - (a) All contraventions of this by-law are designated by-law contraventions that may be dealt with by a notice of penalty pursuant to the provisions of the *Local Governance Act*.
 - (b) The administrative penalty for each contravention is \$500; and
 - (c) A person to whom a penalty notice is delivered may pay the administrative penalty on or before a charge pertaining to the offence has been laid in Provincial Court as Follows
 - i) In person at the Kennebecasis Regional Police Station, Quispamsis, New Brunswick, in cash or by cheque, credit card, or money order made payable to the Kennebecasis Regional Police Force; or
 - ii) By mail to: Kennebecasis Regional Police Force, 126 Millennium Drive, Quispamsis, New Brunswick, E2E 6E6; Attention: Fine Revenue Clerk, by cheque or money order only, payable to the Kennebecasis Regional Police Force; or

iii) By phone with credit card to the Quispamsis main office at (506) 849-5778.

(d) A person who pays the administrative penalty shall be deemed to have contravened a provision of this by-law and shall not be charged with an offence in respect of the same incident that gave rise to the administrative penalty.

(e) If the administrative penalty is not paid in accordance with this Section, the person may be charged with an offence pursuant to Section 8 of this by-law.

9. Severability

Where a Court of competent jurisdiction declares any section or part of a section of this by-law invalid, the remainder of this by-law shall continue in force unless the Court makes an order to the contrary.

10. Commencement

This by-law comes into effect upon third and final reading.

READ FIRST TIME: July 19, 2022

READ SECTOND TIME: July 19, 2022

READ THIRD TIME: August 16, 2022

S E A L

X

Elizabeth (Libby) O'Hara
Mayor

X

Catherine Snow
Town Clerk